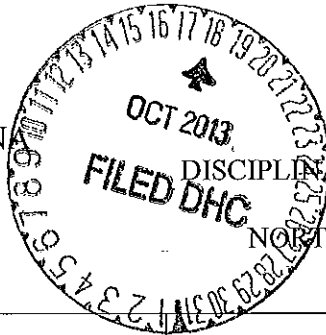


STATE OF NORTH CAROLINA  
WAKE COUNTY



BEFORE THE  
DISCIPLINARY HEARING COMMISSION  
OF THE  
NORTH CAROLINA STATE BAR  
13 DHC 32

THE NORTH CAROLINA STATE BAR,  
Plaintiff

v.

SUSAN M. SATURNO, Attorney,  
Defendant

COMPLAINT

Plaintiff, complaining of Defendant, alleges and says:

1. Plaintiff, the North Carolina State Bar ("Plaintiff" or "State Bar"), is a body duly organized under the laws of North Carolina and is the proper party to bring this proceeding under the authority granted it in Chapter 84 of the General Statutes of North Carolina, and the rules and regulations of the North Carolina State Bar promulgated thereunder.

2. Defendant, Susan M. Saturno ("Defendant" or "Saturno"), was admitted to the North Carolina State Bar on 1 March 1996 and is, and was at all times referred to herein, an attorney at law licensed to practice in North Carolina, subject to the rules, regulations and Rules of Professional Conduct of the North Carolina State Bar and the laws of the State of North Carolina.

3. During the times relevant herein, Saturno was actively engaged in the practice of law in the State of North Carolina and maintained a law office in Ocean Isle Beach, Brunswick County, North Carolina.

4. In or around August 2011, Margaret M. Mackin ("Mackin") retained Saturno to act as the closing attorney in the refinancing of her home.

5. As closing attorney, Saturno represented Mackin and the bank lending Mackin funds to conduct her refinance transaction ("Mackin's lender").

6. As part of the refinance transaction, Mackin's lender instructed Saturno to prepare a Road Maintenance Agreement ("Agreement") and have Mackin execute the Agreement at closing.

7. Saturno failed to have Mackin execute the Agreement at closing.

8. Mackin did not sign the Agreement at closing and did not authorize anyone to sign the Agreement on her behalf.

9. After the closing took place, Saturno signed Mackin's name to the Agreement.

10. Saturno was a Notary Public in the State of North Carolina at the time she served as closing attorney for Mackin's refinance transaction.

11. Saturno notarized her signature of Mackin's name on the Agreement.

12. On 29 August 2011, Saturno filed and recorded the Agreement at the Brunswick County Register of Deeds Office.

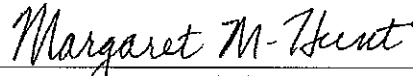
THEREFORE, the State Bar alleges that Defendant's foregoing actions constitute grounds for discipline pursuant to N.C. Gen. Stat. § 84-28(b)(2) in that she violated one or more of the Rules of Professional Conduct in effect at the time of the actions as follows:

- (a) By failing to follow the lender's closing instructions requiring that Mackin execute the Agreement at closing, Saturno failed to act with reasonable diligence and promptness in representing a client in violation of Rule 1.3; and
- (b) By signing Mackin's name to the Agreement, by notarizing her signature of Mackin's name on the Agreement, and by filing the Agreement with the Brunswick County Register of Deeds Office, Saturno engaged in conduct involving dishonesty, deceit or misrepresentation in violation of Rule 8.4(c) and engaged in conduct that is prejudicial to the administration of justice in violation of Rule 8.4(d).

WHEREFORE, Plaintiff prays that:

- (1) Disciplinary action be taken against Defendant in accordance with N.C. Gen. Stat. § 84-28(a) and § .0114 of the Discipline and Disability Rules of the North Carolina State Bar (27 N.C. Admin. Code 1B § .0114), as the evidence on hearing may warrant;
- (2) Defendant be taxed with the administrative fees and costs permitted by law in connection with this proceeding; and
- (3) For such other and further relief as is appropriate.

This the 18th day of October, 2013.



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Margaret M. Hunt, Chair  
Grievance Committee



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